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New Report on Bank Lending to Small Business Issued

Small business lending increased in 1998, but at a much slower pace than lending to large businesses, according to the Office of Advocacy's newest report on bank lending, Small Business Lending in the United States, 1998.

While the total dollar volume of larger loans of \$1 million or more increased by 13 percent in 1998, the volume of small business loans under \$100,000 increased only 3 percent. Loans between \$100,000 and \$250,000 increased 8.1 percent, and loans worth \$250,000 to \$1 million increased 7.7 percent.

Compared with the dollar value,

the number of small business loans (loans of less than \$ 1 million) grew more rapidly — by 16.7 percent overall in 1998. Most of the growth was in the smallest loans under \$100,000, where the dollar volume increased the least. Thus, the average very small business loan was even smaller in 1998, probably because of a boom in the use of business credit cards and lines of credit offered by banks using credit scoring models.

"The fact that more loans and loan dollars are going into small business lending is some good news, but small business lending is not keeping pace," said the SBA's Chief Counsel for Advocacy Jere W. Glover. "We encourage small businesses to look at this report as one indicator of the banks most likely to lend to them. And we are still watching the trend toward bank consolidation carefully to see whether small businesses' overall share of bank lending will continue to fall."

In 1999, for the first time, the Office of Advocacy's lending reports provide statistics from two sources: the banks' "call reports" to bank regulators (also used in the

Continued on page 2

In This Issue

Message from the Chief Counsel

Regulatory Agencies

Internet Dispute Resolution
Procedures Proposed 4

Special Feature: Vision 2000

Efforts in Entreprenuerial Education Recognized 5

Technology Talk

Piracy on the Net



Internet domain names, the basic adddressing system of the Internet, have sometimes been hijacked by so-called "cyber-pirates." In an effort to protect the trademark rights of businesses, a new system of dispute resolution procedures has been proposed. The Office of Advocacy has been a forceful player in the effort to make sure that the concerns of small business are addressed in the proposed procedures, and it recently won some major concessions from the regulatory bodies responsible for writing and implementing them. For more information, see the story on page 4 of this issue. (Photo: PhotoDisc)

Bank Lending, from page 1

previous lending studies) and newly available data gathered under the revised Community Reinvestment Act (CRA) regulations. The call report data sets differ in several important ways. While the call report data are arrayed by the location of a bank's headquarters and within the fiscal year, the CRA data are classified by the borrower's location and loans made in calendar year 1997.

Effects of Bank Consolidations

Bank consolidations continue to be a factor in small business lending. Over the last three years, the number of commercial banks filing call reports declined at rate of almost 400 banks per year — from 10,149 in 1995 to 8,966 in 1998.

Almost all of the decline was in the very smallest banks with less than \$100 million in assets. In 1998, more than 400 of these small banks disappeared, grew into the next size category, merged with other banks, or were acquired. The number of banks in the middle ranges — with \$100 million to \$10 billion in assets — increased. Banks with \$10 billion or more in assets declined from 64 to 61.

The small business lending emphasis of banks of different sizes also changed in 1998. The largest banks increased their small business lending much more than small banks, in part by promoting more small business credit cards and small lines of credit. However, their small business lending increased less than their assets and total business lending. As a result, the ratio of small business loans to total assets declined in these very large banks.

Small Business Lending in the United States, 1998 is available in state-by-state editions for small business owners and policymakers interested in learning about the

small business friendliness of banks in their locales.

Bank Holding Companies

Also released this month was a companion report, The Bank Holding Company Study. This study delves further into the lending patterns of the largest bank holding companies and makes use of the CRA data to provide estimates of the volume of small business lending by location of the loan recipient. The study finds that almost 42 percent of the \$371 billion in small business loans (loans under \$1 million) outstanding were in the 57 small-business-friendly bank holding companies (BHCs). These BHCs held an even larger share — 69 percent — of total U.S. bank assets. Among other findings of the report are the following:

- Dollars in small business loans under \$1 million were up 14.5 percent in these banks, less than the 17.7-percent increase in total assets and the 20-percent increase in total business loans. BHC loans under \$100,000 increased 10.4 percent.
- The number of the smallest loans increased 23.5 percent from 1997 to 1998, compared with a 53.2-percent increase over the 1996–1997 period. These large BHCs continued to promote lines of credit and credit cards to small businesses, using credit scoring methods.
- Using the call report data and the criteria used in past ratings, the top five BHCs in small business friendliness in 1998 were Norwest, BB&T, Southtrust, Wells Fargo, and Firststar.
- Using the CRA 1997 data that ranks banks by the dollar amount in small business lending, the top five BHC small business lenders were Wells Fargo, NationsBank, Banc One, Chase Manhattan, and Norwest.

Continued on page 8

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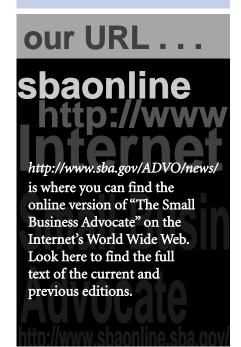
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Message from the Chief Counsel

After 20 Years, Advocacy Still Has a Vital Role to Play

by Jere W. Glover

I recently had the opportunity to take part in a Senate Small Business Committee roundtable on the Office of Advocacy. This informal exchange involved more than 20 representatives of small businesses, including two former chief counsels for advocacy. The participants offered their views about the role and importance of the Office of Advocacy. They also had advice for strengthening the office. As the current steward of this important office, I was pleased by their thoughtful comments about the value of the Office of Advocacy.

Most importantly, the Office of Advocacy continues to fulfill its original purpose. When created by Congress in 1976, the Office of Advocacy had one clear, resolute mission: to serve as an independent voice for small business within the federal government. That role was strengthened by enactment of the Regulatory Flexibility Act (RFA) in 1980, which requires federal agencies to review the impact of regulations on small businesses and requires oversight by the Office of Advocacy, and the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996.

The office actively advocates for small businesses before Congress, federal agencies, and, occasionally, the courts about legislation and regulations. We filed an *amicus curiae* (friend of the court) brief in January 1998 in which the court ruled in favor of small business. In recent months, I have testified before Congress on bankruptcy reform proposals, "Know Your Customer" banking rules proposed by the Federal Reserve System, and the National Marine Fisheries Service's (NMFS) compliance with the RFA.

"The crucial barometer for economic and social well being is the continued high level of creation of new and small firms in all sectors of the economy."

During my latest visit to Congress, I was invited to testify before the House Subcommittee on Fisheries Conservation, Wildlife, and Oceans on how the RFA has been implemented by the NMFS. I was able to applaud the agency for its goodfaith efforts to improve compliance with the RFA, but I emphasized the need for the NMFS to take a closer look at the regulatory impacts on the fishing industry.

Over the years Congress has continued to reinforce the Office of Advocacy's role in regulation development. Now congressional and small business leaders are considering further refinements to the SBREFA that would broaden Advocacy's role in federal rulemakings. With Advocacy's involvement, regulators are more likely to appreciate the economic contributions of small business.

As we look back on the 20th century, small business has been one of America's great economic strengths. However, the recognition of that fact was slow in coming to public policy. Less than one-quarter of a century ago, little or no attention was given to small business in the world of government statistics or policymaking. The Office of Advocacy has taken a long look at small firms — their contributions to

the economy as well as their problems and public policy concerns. In short, the crucial barometer for economic and social well being is the continued high level of creation of new and small firms in all sectors of the economy by all segments of society.

Many members of Congress have been especially sensitive to the need for statistics and research on small firms, and they have supported the Office of Advocacy's mission. With adequate research capacity, Advocacy can provide sound information and help Congress make effective public policy. The studies and reports published by the Office of Advocacy help policymakers at all levels of government gain a greater understanding of small business issues.

In the five years that I have been honored with the responsibility of this job, the range of issues affecting small firms has been wide and astonishing. During my experience, I have grown more appreciative of Congress's wisdom in creating such a unique office more than 20 years ago. I am proud to have shepherded the Office of Advocacy to the edge of the 21st century and look forward to a future working with small businesses, Congress, and federal agencies to advance a better climate for small businesses' growth and prosperity.

Regulatory Agencies

New Initiatives Proposed to Prevent Trademark Abuse on the Internet

Efforts to combat so-called "cyber-pirates" or "cybersquatters" — individuals who register trademarked names for use on the Internet, and subsequently sell them at inflated prices to the rightful trademark owners — could have adverse effects on small business, according to recent testimony offered by the Office of Advocacy before the World Intellectual Property Organization (WIPO).

In June 1998, as part of its effort to privatize the assignment of domain names, the U.S. Department of Commerce asked the WIPO to come up with a set of procedures to be used by the Internet Corporation for Assigned Names and Numbers (ICANN) to settle disputes over domain names.

ICANN, a non-profit corporation, was created in 1998 by the Department of Commerce to manage the registration of Internet domain names. Domain names are the addresses that Internet users type into browsers to reach a Web page.

In December 1998, the WIPO issued its *Interim Report on the Internet Domain Name Process*. Among other things, the interim report recommended that ICANN adopt mandatory alternative dispute resolution procedures to settle conflicting domain name claims. It also proposed that applicants be subject to the authority of multiple national jurisdictions.

In a series of comments submitted to the WIPO in March, the Office of Advocacy urged the organization to make some significant changes to these recommendations. Advocacy requested that:

- there be no recourse to mandatory arbitration:
- submissions to jurisdictions be limited to the applicant's home coun-

The efforts of several regulatory bodies to devise procedures to settle disputes over Internet domain names could put small businesses at a disadvantage.

try and the country of the registrar;

- protections given to well-known trademarks be limited in scope. Famous marks which include generic words should not be allowed to exclude all other applicants from using that word if they are not offering the same goods and services; and
- the WIPO extend its deadline for public comment and make a

more adequate solicitation of comments, including publication in the *Federal Register* and other publications.

In its comments to the WIPO, the Office of Advocacy pointed out that the majority of challenges to domain name registrations will be by large companies with deep pockets, and the defending registrant likely to be a small business, organization, or individual because:

- large companies have the financial resources available to initiate litigation or arbitration;
- most small businesses do not hold trademarks;
- small businesses will rarely challenge a prior registration due to the cost and delay involved, even if they are the trademark holders; and

Continued on page 6

Update: Advocacy Scores a Win

The Office of Advocacy scored a big win in its effort to make sure that the interests of small business are considered in devising a process to settle Internet domain name disputes. In its final report to ICANN in April, the WIPO accepted Advocacy's advice regarding mandatory arbitration process, and recommended limiting the arbitration process to instances of abusive registrations.

In a subsequent comment letter to ICANN on May 20, the Office of Advocacy argued that the organization had given small businesses inadequate notice of its upcoming board meeting and little opportunity to make meaningful comments on the WIPO's final report before its adoption by ICANN. The Office of Advocacy suggested that ICANN extend the

comment period and postpone a final decision until ICANN had the opportunity to fully consider any comments filed. At a meeting of ICANN's board of directors on May 26 in Berlin, Germany, ICANN adopted all of Advocacy's recommendations and referred the domain name dispute issue to the Domain Name Supporting Organization (DNSO), an advisory body to ICANN.

The DNSO is expected to make proposals regarding domain name dispute resolution to the ICANN board by July 31, 1999. The DNSO will submit proposals regarding exclusions for well-known and famous names to the ICANN board during a meeting scheduled for August 24–26 in Santiago, Chile.

Special Report: Vision 2000

Innovators in Entrepreneurial Education Honored

Vision 2000: The States and Small Business Conference held this past December 9–10 brought together small business leaders and state and local government officials to spotlight programs and policies that promote small business growth.

Dr. William A. Verdini and the Center for the Advancement of Small Business, Arizona State University, Tempe, Ariz.

The center, through Arizona State University's College of Business, has created the nation's first undergraduate small business minor. It also supports a certificate in small business and entrepreneurship program for business majors.

Business co-teachers, mentors, and case studies of actual businesses are the key elements of the minor, with classes taught by academics in partnership with business co-teachers and business resource people. The interdisciplinary undergraduate minor is unique among U.S. universities. Mentors guide students in two ways. Each student in the minor is assigned an individual business mentor. Business leaders also mentor student teams as they do required research case study projects on Arizona-based businesses.

The day-to-day involvement of actual small business entrepreneurs is a central feature of the center's activities.

Karla M. Graham and the Oklahoma State Dept. of Commerce's program "Energizing Your Local Economy — Business Tax Incentive Training," Oklahoma City, Okla.

The Oklahoma Dept. of Commerce organized a small business task

Participants in the conference took home many ideas for small business programs and policies that they could adapt to their own localities. Throughout 1999, selected issues of The Small Business Advocate will profile Vision 2000 award winners

force to make recommendations to the governor and legislature on what the state could do to help small businesses. The task force found that existing state tax incentives were not well understood in the small business community and that information was not readily available. It recommended that a mechanism to disseminate current tax incentive information be designed.

The Oklahoma Dept. of Commerce's Business Development Division took up this challenge, working with the Oklahoma Society of Certified Public Accountants and developed a training course and manual, *Energizing Your Local Economy — Business Tax Incentive Training* to enable certified public accountants and other professionals to better serve their small business clients.

Dr. Courtney Price and the Premier FastTrac program of the Entrpreneurial Education Foundation Denver, Colo.

Premier FastTrac entrepreneurial training programs began in Los Angeles in 1986 with a one-day seminar for women and minority owned businesses and now boasts a pilot 45-hour intensive training program for 63 entrepreneurs.

Geared for emerging entrepreneurs and focuses on startups, it emphasizes entry strategies for startup ventures through 32 hours

in this space. This month we profile the winners of "Models of Excellence" awards for entrepreneurial education.

of instruction and nine sessions of coursework. Entrepreneurs identify business opportunities, research their markets, develop and expand business concepts, test the feasibility of their ventures, determine venture profitability, write feasibility plans, and launch their ventures. It provides training for existing business owners in planning, researching, and evaluating the strategic growth and operational aspects of their businesses. The 45-hour, 11session program culminates in the development of a viable business plan by each entrepreneur.

Premier FastTrac is a program of the Entrepreneurial Education Foundation (EEF) in Denver and is supported by the Kauffman Center for Entrepreneurial Leadership, Inc. in Kansas City, Mo.

Barbara K. Mistick and "Camp Entrepreneur" Program of the National Education Center for Women in Business, Seton Hill College, Greensburg, Pa.

The "Camp Entrepreneur" program was designed by the National Education Center for Women in Business (NECWB) at Seton Hill College in Greensburg, Pa. Established in 1992 as a non-profit institution, the NECWB promotes women's business ownership through collaborative research, educational programs, and curriculum development. It also serves as an

Continued on page 6

Vision 2000, from page 5

information clearinghouse for women entrepreneurs.

Camp Entrepreneur is a model educational program for young women, ages from 12 to 18 years old. It encourages them to explore alternative career choices by helping them to recognize their ability to run their own businesses and by developing their leadership abilities and self-confidence. It introduces basic business skills and features: computer simulations of business startups and operations; seminars by local business professionals; field visits to local businesses and interaction with real entrepreneurs: training in team work for effective decision making; and experience in public speaking to develop presentation skills and self confidence.

John Ciannamea and Entrepreneurial Education Network of the North Carolina Technological Development Authority, Inc., Research Triangle Park, N.C.

The Entrepreneurial Education Network (EEN) is a distance learning network providing live, interactive business seminars, workshops, and other programs to entrepreneurs and managers of small businesses in rural North Carolina. It is administered by the North Carolina Technological Development Authority, Inc., as a private, non-profit corporation. It has helped establish 26 business incubators throughout rural North Carolina to provide quality entrepreneurial education programs to businesses in rural North Carolina using today's high technology to link all of North Carolina.

Mary Jo Flood Shaub and Nancy Jo Chavez, "Train the Trainer" program of the Pennsylvania Dept. of Community and Economic Development; Harrisburg, Pa.

Pennsylvania supports an extensive network of approximately 600

small business technical-assistance providers with a common mission of offering no-cost consultation to small business owners and startup entrepreneurs. These providers consult with tens of thousands of entrepreneurs each year on all aspects of starting and operating a business. To assist these providers, the Entrepreneurial Assistance Office of the Pennsylvania Dept. of Community and Economic Development developed a program to provide a comprehensive seminar presentation and manual including forms, explanations of regulations and compliance materials, reference guides, and other information from each agency. The program is directed to the staff of business associations, chambers of commerce, small business development centers, local development districts, bankers, attorneys, accountants, economic development agencies, and other interested parties. Fourteen fourhour sessions were held during the 1997–1998 year, where presentation and training manuals are provided free of charge.

James L. King and the Self Employment Assistance Program of the New York State Small Business Development Center and New York State Dept. of Labor, Albany, N.Y.

The Self Employment Assistance Program (SEAP) is a partnership effort of the New York State Small Business Development Center (SBDC) and the New York State Dept. of Labor. It is an ambitious and innovative initiative to encourage entrepreneurship among unemployed dislocated workers. SEAP was designed as a re-employment option for those unemployment insurance (UI) recipients who are statistically profiled as high-skilled but having the greatest possibility of exhausting their benefits before finding new work and potentially

becoming welfare recipients. Most of these individuals were the victims of plant closings, downsizing, outsourcing, or similar problems. They generally come from long-term employment with one employer, tend to be over 40, and have at least some college. They are highly motivated and skilled with a wealth of knowledge which is convertible to self-employment. Sixty-seven percent of SEAP enrollees have never collected UI benefits in the past.

Some 77 percent of enrollees finish and start a small business. Another 12 percent find employment with other small businesses while researching their business development plan, resulting in an 89 percent placement rate for all enrollees. Over 1,500 SEAP enrollees have come to the SBDC, and graduates have created more than 5,400 new jobs. Since SEAP's inception in 1995, seven other states have begun similar programs based on New York's model.

Domain Names, from page 4

• most large companies hold trademarks, and attempts to challenge their domain names would fail because of trademark protection.

For more information on the Office of Advocacy's role in the domain name dispute resolution issue, contact Eric Menge, assistant chief counsel for advocacy, at (202) 205-6949 or via e-mail at *eric.* menge@sba.gov.

ICANN's Web site can be found at http://www.icann.org. ICANN posted previous comments on the WIPO's proposal at http://www.icann.org/wipo/wipo.htm. This page also lets readers submit their comments. The May 26 meeting in Berlin, Germany, can be viewed using RealAudio at http://cyber.law.harvard.edu/icann/berlin/.

Technology Talk

What Do Small High-Tech Firms Look Like?

by Terry Bibbens

A new report sponsored by the Office of Advocacy — A Survey of High Technology Firms, by Joseph J. Cordes, Henry R. Hertzfeld, and Nicholas S. Vonortas of The George Washington University — provides an in-depth look at the characteristics and practices of the high technology small business sector. The report's conclusions were based upon responses from more than 200 small business enterprises (of less than 500 employees) in high technology sectors — firms across the United States and across a variety of technologies. The results and conclusions of this report are important in the consideration of public policy in the technology sector.

Here is an excerpt of the conclusions drawn by the report:

- One-quarter of respondents had been in business for less than 10 years, and the average age of firms responding was 25 years.
- Most of the companies (87 percent) were independent startups, with 44 percent of the founders establishing their firm in the same industry in which they were previously employed.
- Most of the founders (66 percent) were still owners of the firm.
- About one-third of firms surveyed were initially financed by equity alone and more than 60 percent of the firms indicated the owners or managers had contributed over half of the firm's equity.
- Initial funds were primarily obtained to start the firm or to take a product beyond prototype to market.
- Rarely available from banks and institutions, financing for the research and development (R&D) stages of their business is often a personal commitment of owners and managers.
 - Over half of the firms surveyed

A new report gives us a better picture of small businesses in the high technology sector.

looked to banks for loans, with just over half of those getting short-term loans, and just under half receiving long-term loans. Only 15 firms (7 percent) surveyed reported that they had SBA guaranteed loans.

- Sixty-three percent of the companies did not claim the research and experimentation (R&E) tax credit. Only 16 companies (8 percent) reported that the tax credit actually increased their spending on R&D however, 33 companies (16 percent) reported that it did increase their cash flow. Eighty-five companies (43 percent) said that the R&E tax credit had no effect on their firm.
- Patents and other formal intellectual property rights appear to be less important than trade secrets and being first to the market. The costs of the patent system were a frequently cited reason for not relying on them, and the problems of patent enforcement contributed to the lack of importance of patents.
- Most of the firms were closely held corporations; less than 10 percent of the firms had publicly traded stock.
- The companies surveyed indicated that their competitive advantage lay in offering better quality and better service and being more flexible than their competitors. More than half of the firms considered their price equal to or higher than their competitors, and 60 percent reported no advantage in their

costs of production.

- The companies became profitable quickly after they were founded. Two-thirds of the firms had profits by the second year of their existence.
- Firms were started for traditional reasons: a perception of a business opportunity through the development of a new product, coupled with the entrepreneur's quest for both independence and financial reward. They thrive on serving customers better than their competitors, and they find the government not a terribly important factor in either their business, R&D efforts, or as a customer.
- Two-thirds of companies surveyed had four or fewer R&D employees, however most R&D is performed internally, with only 40 percent of the firms reporting contracted-out R&D. Over one-third of firms applied for Small Business Innovation Research (SBIR) awards.

Terry Bibbens is the Office of Advocacy's entrepreneur in residence.

For More Information

Copies of A Survey of High Technology Firms are available for purchase from the National Technical Information Service, tel. (703) 605-6000. To order online, visit the NTIS Web site at www.ntis.gov. Research Summary no. 189, which details the findings of the report, is available on the Office of Advocacy's Web site at www.sba.gov/advo/.

An Aerie for Legal Eagles



The Office of Advocacy's retooled Web page makes it easier than ever for you to access up-to-date information on regulatory proposals that can affect small business. Plus, you get access to incomparable business statistics, research materials, and the on-line version of *The Small Business Advocate*. Visit us today at www.sba.gov/advo/.

www.sba.gov/advo/

Bank Lending, from page 2

Regardless of their rankings in these studies, the Small Business Administration's preferred or certified lenders should also be considered small-business-friendly. To locate the top SBA lenders in your region, contact your local SBA office; locations can be found on the Internet at www.sba.gov/services/.

(The Small Business Advocate will feature an additional report, Micro-Business-Friendly Banks in the United States, in next month's edition. This report focuses on banks with the best record for lending \$100,000 or less to small businesses.)

For More Information

The Office of Advocacy's lending studies are available on the Internet at http://www.sba.
gov/ADVO/lendinginus2.html/.
Also available are state-by-state studies of Small Farm Lending in the United States and a national report on Small Farm Lending by Bank Holding Companies. Paper and microfiche copies of these reports are available for purchase from the National Technical Information Service (NTIS), tel.

(703) 605-6000, or visit the NTIS Web site at www.ntis.gov.

Comments and technical questions about these studies may be directed to Dr. Robert Berney, tel. (202) 205-6875, or Dr. Charles Ou, tel. (202) 205-6966, at the Office of Advocacy, U.S. Small Business Administration, 409 Third Street, S.W., Washington, DC 20416.